## AMENDMENTS TO THE CLAIMS

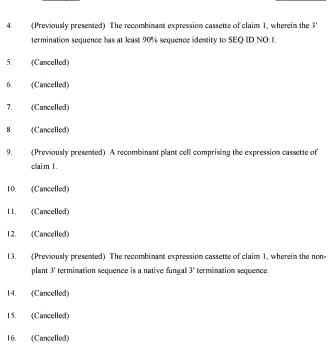
This listing of claims will replace all prior versions, and listings, of claims in the application:

## Listing of Claims:

- (Previously presented) A recombinant expression cassette comprising a promoter that is
  functional in plants operably linked with a coding sequence having a stop codon, the
  coding sequence being operably linked with a non-plant 3' termination sequence, wherein
  the non-plant termination sequence is heterologous to the coding sequence and
  comprises:
  - i. a cleavage site including a nucleotide sequence YA defining a position of endonucleolytic cleavage and subsequent 3' polyadenylation;
  - ii. a positioning element of 6 nucleotides located between 10 nucleotides and 40 nucleotides 5' of the cleavage site and with at least 4 out of 6 nucleotides being adenine:
    - iii. an upstream element that
      - is located between 1 nucleotide and 250 nucleotides 5' of the positioning element; and
      - (b) comprises TAYRTA or two or more repeats of the TA, TG, or TA and TG where the repeats are separated by 0 to 10 nucleotides;

wherein the non-plant 3' termination sequence is a fungal 3' termination sequence.

- (Previously presented) The recombinant expression cassette of claim 1, wherein the cleavage site is flanked by a pair of thymidine-rich regions, each thymidine-rich region:
  - a. comprising at least 6 nucleotide pairs of at least 80% thymidine; and
  - b. being within about 50 nucleotides of the cleavage site.
- (Previously presented) The recombinant expression cassette of claim 1, wherein the promoter is a virus promoter.



17.

(Cancelled)